



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JANUARY 30, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of January 23, 2001

Action Taken:

AGENCY GENERAL ADMINISTRATION

- A. Award a contract for asbestos removal and building demolition at 2240 and 2250 Illinois Avenue, and 2514 Tulare Street (***Agency action***)
Action Taken:
- B. Approve six purchase agreements for properties within Phase II of the Regional Medical Center Expansion (***Agency action***)
Action Taken:
- C. Consider that the City authorize a loan between the Redevelopment Agency and Joint Powers Financing Authority, by approving the following:
- RESOLUTION** - Authorizing the Redevelopment Agency of the City of Fresno to enter into a loan agreement, substantially in the form attached, with the Fresno Joint Powers Financing Authority
Action Taken:

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY - CONTINUED

D. Consider that the Agency and City approve, respectively, certain documents, substantially in the form attached, relative to the proposed loans between Agency and City

1. **RESOLUTION** - Authorizing loans from the City to the Redevelopment Agency of the City of Fresno

Action Taken:

2. **RESOLUTION** - Authorizing execution and delivery of a loan agreement and an escrow agreement; and authorizing execution of documents and the taking of all necessary actions to accomplish the foregoing

Action Taken:

ADJOURN

9:00 A.M. COUNCIL ROLL CALL

Invocation Father Norris of St. Helen's Church

Pledge of Allegiance to the Flag

Presentation of Student of the Quarter Awards - Council President Perea

Proclamation of "National FAA WEEK" - Councilmember Boyajian

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of January 23, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS

- 10:00 A.M.#1** **HEARING** to consider Rezone Application No. R-00-34, and environmental findings, filed by Majestic Development, for 42 acres of property located on the southeast corner of East North Avenue and South Orange Avenue (*Continue to 10:40 a.m.*)
Action Taken:
- 10:00A.M.#2** Authorize Interim City Manager to negotiate and enter into a professional services agreement between the City of Fresno and Macias Consulting Group, Inc. - Councilmember Castillo
Action Taken:
- a. * **RESOLUTION** - Approving the 69th Amendment to AAR No. 2000-183 appropriating \$57,100 to fund professional auditing services (*Requires 5 affirmative votes*)
Action Taken
- 10:15 A.M.** **HEARING** to consider Rezone Appl. No. R-00-048, and environmental findings, filed by Fresno Community Hospital/Gary Giannetta, for 26,000 square feet of property located at 120 North Thesta Avenue
Action Taken:
- a. Consider and adopt Categorical Exemption for Environmental Assessment No. R-00-48
Action Taken:
- b. **BILL** - Amending the Official Zone Map to rezone from the “P” zone district to the “C-P” zone district
Action Taken:
- 10:20 A.M.** **TEFRA HEARING** regarding the issuance by the California Mobilehome Financing Authority of Mobilehome Park Revenue Bonds to finance the acquisition and renovation of the Franciscan and Towne & Country Mobilehome Parks Projects (*Continue to 2/6/01 at 10:15 a.m.*)
Action Taken:
- 10:30 A.M.** **HEARING** to consider a Resolution of Public Use and Necessity for acquisition of easements for street purposes for the reconstruction of the West Ashlan and North Cornelia Avenues intersection
Action Taken:
- a. **RESOLUTION** - Determining that public interest and necessity for acquisition of right of way for the reconstruction of the intersection at West Ashlan and North Cornelia Avenues, and that the acquisition of an easement is necessary for the project
Action Taken:
- 10:40 A.M.** **CONTINUED HEARING** to consider Rezone Application No. R-00-34, and environmental findings, filed by Majestic Development, for 42 acres of property located on the southeast corner of East North Avenue and South Orange Avenue
Action Taken:
- a. Consider and adopt the Negative Declaration for Environmental Assessment No. R-00-34
Action Taken:
- b. **BILL** - Amending the Official Zone Map to rezone property from the AE-20 and AE-2/UGM zone districts to the M-2 and M-2/UGM zone districts
Action Taken:

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. Consideration of the partial cancellation of Agriculture Lands Conservation Contract No. 8 related to 29.7± acres located on the east side of South Orange Avenue between East Central and East North Avenues

Action Taken:

- a. Consider and adopt the Negative Declaration for Environmental Assessment No. ALCC8-MAJESTIC dated January 20, 2001

Action Taken:

- b. **RESOLUTION** - Cancellation of a portion of Agriculture Lands Conservation Contract No.8

Action Taken:

11:00 A.M.#1 **CONTINUED HEARING** to consider Rezoning Application No. R-00-036 and environmental findings, filed by Colburn Thomason, for 19.4 acres of property located at the east side of N. Van Ness Blvd. between W. Alluvial and the San Joaquin River Bluffs (*Request to continue to 2/27/01 @ 11:15 a.m. by Applicant*)

Action Taken:

- a. Consider and adopt the Negative Declaration for Environmental Assessment No. T-4959, R-00-36, C-00-218

Action Taken:

- b. **BILL** - Amending the Official Zone Map to rezone from R-1-EH/BP/UGM zone district to the R-1-A/BP/UGM and R-1-A/UGM zone districts

Action Taken:

11:00 P.M.#2 Designation of fuel path required under California Air Resource Board Transit Fleet Rule - Council President Perea

- a. Discuss recommendation of City Clean Air Advisory Committee

Action Taken:

2:00 P.M.#1

CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Matthew Gargiulo

Employee Organization(s):

1. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
2. International Association of Firefighters, Local 753 Fire Management (IAFF)

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)(1)

Significant Exposure to Litigation:

1. **Case Name:** Claim of Louella McCoy

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.#1

CLOSED SESSION CONTINUED

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** DMP Development Corp. Inc. v. City of Fresno -
2. **Case Name:** City of v. Daniel W. Green and Sharon L. Green Individually and doing business as Dan Green's Wood Recycling aka Dan Green's Recycling, and Does 1 through 50, inclusive
3. **Case Name:** A.H.D.C. v. City of Fresno, et al.
Action Taken:

2:00 P.M.#2

DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

1A.

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. **RESOLUTION** - Approving the Summary Vacation of a Portion of Jeanne Avenue between West and Swift Avenues and a Public Utility Easement in the Jeanne Avenue Alignment between Swift and Ashlan Avenues - Public Works/Engineering
Action Taken:
2. Authorize sale of IBM mainframe and related equipment as surplus equipment - Admin./Purchasing
Action Taken:
- 3.* **RESOLUTION** - 94th amendment to AAR Resolution No. 2000-183 appropriating \$88,100 for Pilibos Soccer Park and San Joaquin Bluff Stabilization Trail improvements (***Requires 5 affirmative votes***)- Parks/Budget
Action Taken:
- 4.* **RESOLUTION** - 377th amendment to the Master Fee Schedule Resolution No. 80-420 to amend the fee charged for certain police reports - Police
Action Taken:
5. Award contract for installation of eight (8) inch water mains at N. Palm Avenue, E. Santa Ana to N. Van Ness Avenue, and E. Alamos Avenue to N. Safford to N. Palm Avenue (Bid File 2077-4751)
Action Taken:
- 6.* **RESOLUTION** - 93rd amendment to AAR No. 2000-183 appropriating \$1,500 of District 5's General Fund Infrastructure budget to fund the Ladies Aid for Retarded Citizens of Fresno, Inc. (***Requires 5 affirmative votes***) - Councilmember Quintero
Action Taken:

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1B. CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

1. * **BILL - (*For introduction*)** - Amending Section 8-128 of the Fresno Municipal Code, relating to the night time curfew for minors, and adding Section 8-128.2 to the Fresno Municipal Code, relating to daytime curfew for minors - Police
Action Taken:
2. Consider Introduction of Bills amending and adding to the Fresno Municipal Code relating to signs and public nuisances
 - a. * **BILL - (*For introduction*)** - Amending Sections 13-910 (h), 13-917, adding subsection (l) to Section 13-913, adding Section 13-919 and 13-920 of the Fresno Municipal Code, relating to signs
Action Taken:
 - b. * **BILL - (*For introduction*)** - Adding Subsection (l) to Section 9-804 of the Fresno Municipal Code relating to public nuisances
Action Taken:
3. * **BILL - (*For introduction*)** - Amending Section 2-115 of the Fresno Municipal Code, relating to Council Meetings and Rules of Order - Council President Perea and Councilmember Duncan
Action Taken:

1C. CONSENT CALENDAR - BILL FOR ADOPTION - BLUE TABS

1. Consider adoption of Bill amending Section 3-109 of the Fresno Municipal Code relating to contracts of services, work, equipment, materials and supplies; repealing Resolution No. 94-125 related to the authorization of the contracting for professional consulting services by certain officials and establishment of a policy regarding the presentation of professional consulting service contracts to the Council for its approval
Action Taken:
 - a. * **BILL NO. B-5 - (*Intro. 1/23/01*)** - Requiring Council approval for expenditure of City monies greater than \$50,000
Action Taken:

2. PLANNING AND ZONING ADMINISTRATION

3. GENERAL ADMINISTRATION

4. CITY ATTORNEY

- A. Workshop on Municipal Laws, Part I
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5.

CITY COUNCIL

- A. Proposed appointment of Dr. David E. Roy to the Human Relations Commission (*For introduction*)
Councilmember Calhoun
Action Taken:
- B. Request City Manager to return in 45 days with recommendations and what changes to the UGM program they suggest be implemented, to include specific recommendations for: - Councilmember Duncan
1. Moving the financial management of the UGM to Finance and how this can be accomplished without additional spending from the General Fund
 2. How, with input from the BIA, the process of collecting, tracking and reimbursement of UGM fees can more effectively be managed
 3. A proposal for a nexus study for the evaluation of our UGM fee structure that corresponds with the General Plan update with the goal of having this new structure in place when the new general plan is completed
- Action Taken:**
- C. Reappoint Council Committee for the Beautification of Highway 99 recommendation for gateways to Fresno
- Councilmember Ronquillo
Action Taken:

6.

CITY/COUNTY INTERGOVERNMENTAL RELATIONS

7.

UNSCHEDULED ORAL COMMUNICATIONS - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Feb. 6 - 9:00 A.M.** Presentation of P.R.I.D.E. Team Certificates for the Winter Quarter
- Feb. 6 - 10:00 A.M.** **HEARING** re: Rezone Appl. No. R-00-047, filed by Vineyard Christian Fellowship of Clovis
- Feb. 6- 11:00 A.M.** Staff report for the formation of Mello-Roos Community Facilities District within the Roeding Business Park and South Industrial Business Park
- Feb. 6 - 10:15 A.M.** **CONTINUED TEFRA HEARING** regarding the issuance by the California Mobilehome Financing Authority of Mobilehome Park Revenue Bonds
- Feb. 6 - 11:15 A.M.** Presentation by Paul Fasulo of Gardnyr Michael Capital Leasing regarding downtown parking structure - Acting President Ronquillo
- Feb. 6- 11:30 A.M.** **RESOLUTION** - Council discussion/direction regarding resolution outlining recommendations to address the energy situation - Council President Perea and Councilmember Duncan
- Feb. 6 - 3:30 P.M.** **HEARING** on appeal of Planning Commission action regarding Application No. S-00-316, relating to construction of a self-service automobile fueling station, 5638 E. Kings Canyon Road at Clovis Avenue - Councilmember Quintero
- Feb. 20 - NO MEETING - PRESIDENT'S DAY**
- Feb. 27 - 10:00 A.M.** **HEARING** re: Rezone Appl. No. R-00-39, filed by CAP Investors
- Feb. 27 - 10:15 A.M.** **HEARING** re: Rezone Appl. No. R-00-49, filed by Francisco A. Mayo
- Feb. 27 - 10:30 A.M.** **HEARING** re: Rezone Appl. No. R-00-29, filed by Sam Lucido
- Feb. 27 - 10:45 A.M.** **HEARING** re: Rezone Appl. No. R-00-46, filed by National Farm Workers
- Feb. 27- 11:00 A.M.** **HEARING** re: mid-rise/high-rise 6-story Trauma Center CUP C-00-234, filed by Fresno Community Hospital
- Feb. 27- 11:15 A.M.** **CONTINUED HEARING** to consider Rezoning Application No. R-00-036 and environmental findings, filed by Colburn Thomason, for 19.4 acres of property located at the east side of N. Van Ness Blvd. between W. Alluvial and the San Joaquin River Bluffs
- Mar. 6 10:00 A.M.** **TEFRA HEARING** for the Californian Project
- Mar. 6 - 10:45 A.M.** **HEARING** re: Plan Amendment No. A-00-10, Text Amendment No. TA-00-06 and CUP No. C-00-173, for a six-story expansion to the St. Agnes Medical Center
- Mar. 13- 10:30 A.M.** **HEARING** re: Council approval on a 4-story mid-rise building for Fresno Heart Hospital

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